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July 8, 2021

Via CM/ECF

The Honorable Patrick J. Schiltz
United States District Court
300 South Fourth Street
Minneapolis, MN 55415
schiltz_chambers@mnd.uscourts.gov

Re: *Lindell v. US Dominion, Inc., et al.*, Cause No. 0:21-cv-01332-PJS-DTS

Dear Judge Shiltz:

We represent Michael J. Lindell in the referenced lawsuit. Based on a letter filed by the Dominion Defendants¹ (Dkt. No. 18), the Court issued an order staying this case (the “Stay Order”) (Dkt. No. 19). The letter filed by the Dominion Defendants omitted reference to the Smartmatic Defendants,² and we are writing to request clarification as to the effect of the Stay Order with respect to service of process on the Smartmatic Defendants.

On June 9, 2021, we sent a request to waive service to counsel representing the Smartmatic Defendants in its defamation lawsuit against Fox News, and we received confirmation of receipt of that email on June 10, 2021. To date, we have not received waivers of service nor any further communication from the Smartmatic Defendants. A copy of this letter is being forwarded to counsel for the Smartmatic Defendants with whom we have been in communication.

Pursuant to Fed. R. Civ. P. 4(d)(1)(F), the deadline for Smartmatic USA Corp. to agree to waive service is July 9, 2021, and the deadline for Smartmatic International Holding B.V. and SGO Corporation Limited to waive service is August 8, 2021. We have not proceeded with formal service while these deadlines were prospective, but we intended to initiate service immediately upon the expiration of those deadlines.

¹ US Dominion, Inc., Dominion Voting Systems, Inc. and Dominion Voting Systems Corporation.

² Smartmatic USA Corp., Smartmatic International Holding B.V. and SGO Corporation Limited.



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Understanding that the Smartmatic Defendants' responsive pleading to our Complaint (Dkt. No. 1) will be stayed pursuant to the Stay Order, we ask permission to file the waivers of service if the Smartmatic Defendants timely return them. In the alternative, if the Smartmatic Defendants do not agree to waive service by the proscribed deadlines, we ask permission to institute formal service of process, which may take some time as two of the Smartmatic Defendants are foreign companies which will require service through the Hague Convention, and to file the returns of service once we receive them.

Very truly yours,

Daniels & Tredennick PLLC

Heath A. Novosad

cc: All Counsel of Record
via CM/ECF

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